

I hereby certify that the attached RCE Transmittal and Amendment AF is being transmitted to Mail Stop RCE, U.S. Patent and Trademark Office via facsimile number 571-273-8300, on October 21, 2005.

Kim M. Ramsey
Kim M. Ramsey

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OCT 21 2005

**PATENT APPLICATION
Docket No. 9793-004**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Patrick J. Whelan

Confirmation No. 8251

Serial No. 10/682,258

Examiner: Lee D. Wilson

Filed: October 8, 2003

Group Art Unit: 3723

For: PRYING TOOL WITH POSITIONABLE HANDLE

Date: October 21, 2005

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted:

Consider the amendment(s) reply under 37 C.F.R. §1.116 previously filed on _____.

Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.

Other:

b. Enclosed is:

Amendment After Final Rejection

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OCT 24 2005

Affidavit(s)/Declaration(s)

Information Disclosure Statement (IDS)

Other

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2. Miscellaneous

Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required).

Other:

3. **Fees:** (Note: The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.)

BCE fee required under 37 C.F.R. § 1.17(e)

\$395 small entity
 \$790 large entity

<u>CLAIMS AS AMENDED</u>					
For:	Number After Amendment	Previous Number	Extra	Rate	Additional Fee
Total Claims	26	-26*	0	x \$ 25 =	\$0
Independent Claims	4	-4**	0	x \$100 =	\$0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					

Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

	small entity	large entity
<input type="checkbox"/> Extension of Time - 1 st	<input type="checkbox"/> \$60	<input type="checkbox"/> \$120
<input type="checkbox"/> Extension of Time - 2 nd	<input type="checkbox"/> \$225	<input type="checkbox"/> \$450
<input type="checkbox"/> Extension of Time - 3 rd	<input type="checkbox"/> \$510	<input type="checkbox"/> \$1020

Suspension of application fee (37 C.F.R. § 1.17(i))--\$130

PTO Form 2038 authorizing credit card payment is attached.

Any deficiency or overpayment should be charged or credited to Deposit Account No. 13-1703.

Customer No. 20575

Respectfully submitted,

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